

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT
RIGHTS; LEAGUE OF WOMEN VOTERS
OF VIRGINIA; LEAGUE OF WOMEN
VOTERS OF VIRGINIA EDUCATION FUND;
AFRICAN COMMUNITIES TOGETHER,

Plaintiffs,

v.

SUSAN BEALS, in her official capacity as
Virginia Commissioner of Elections; JOHN
O'BANNON, in his official capacity as
Chairman of the State Board of Elections;
ROSALYN R. DANCE, in her official capacity
as Vice-Chairman of the State Board of
Elections; GEORGIA ALVIS-LONG, in her
official capacity as Secretary of the State Board
of Elections; DONALD W. MERRICKS and
MATTHEW WEINSTEIN, in their official
capacities as members of the State Board of
Elections; and JASON MIYARES, in his
official capacity as Virginia Attorney General,

Defendants.

Case No. 1:24-cv-01778

**PLAINTIFFS' REQUEST FOR EVIDENTIARY HEARING ON PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Plaintiffs Virginia Coalition for Immigrant Rights, League of Women Voters of Virginia, League of Women Voters of Virginia Education Fund, and African Communities Together request an evidentiary hearing on Plaintiffs' Motion for Preliminary Injunction, which is currently set to be heard on October 24, 2024. Plaintiffs are prepared to call or subpoena at least one representative of certain county entities tasked with administering aspects of Virginia's Purge Program as well as

potentially other representatives. Plaintiffs may also call or subpoena other witnesses with personal or expert knowledge related to the Purge Program.

Such testimony would support the efficient development of the evidentiary record and aid the Court in considering and adjudicating Plaintiffs’ Motion for Preliminary Injunction as quickly as possible. *See* ECF 4, 26. Testimony would also bear on factual issues about operation of the Purge Program that Defendants may raise in response to Plaintiffs’ Motion for Preliminary Injunction. *See Reladyne Reliability Services Inc., et al. v. Bronder*, No. 2:20-cv-377, 2020 WL 5745801, at *1 (E.D. Va. Aug. 4, 2020) (quoting *Arrowpoint Capital Corp. v. Arrowpoint Asset Mgmt, LLC*, 793 F.3d 313, 324 (3d Cir. 2015) (“[W]here the motion [for preliminary injunction] turns on a disputed factual issue, an evidentiary hearing is ordinarily required”)).

Because of the urgent nature of Plaintiffs’ Motion for Preliminary Injunction, Plaintiffs request that the evidentiary hearing be held at the currently-scheduled hearing time—10 a.m. on October 24, 2024—any other time on October 24, 2024, or on October 25, 2024. If an evidentiary hearing is not feasible for the Court on or before October 25, Plaintiffs withdraw this request.

Date: October 18, 2024

Respectfully submitted,

Ezra D. Rosenberg*
Ryan Snow*
Javon Davis*
LAWYERS’ COMMITTEE FOR CIVIL RIGHTS
UNDER LAW
1500 K Street, NW, Ste. 900
Washington, DC 20005
(202) 662-8600
erosenberg@lawyerscommittee.org
rsnow@lawyerscommittee.org
jdavis@lawyerscommittee.org

/s/ Shanna Ports
Shanna Ports (VSB No. 86094)
Danielle Lang*
Kevin Hancock*
Brent Ferguson*
Simone Leeper**
CAMPAIGN LEGAL CENTER
1101 14th Street NW, Suite 400
Washington, DC 20005
(202) 736-2200
sports@campaignlegalcenter.org
dlang@campaignlegalcenter.org
khancock@campaignlegalcenter.org
bferguson@campaignlegalcenter.org

sleeper@campaignlegalcenter.org

Orion Danjuma**

John Paredes **

THE PROTECT DEMOCRACY PROJECT, INC.

82 Nassau Street, # 601

New York, NY 10038

Telephone: (202) 579-4582

orion.danjuma@protectdemocracy.org

Benjamin L. Berwick**

THE PROTECT DEMOCRACY PROJECT, INC.

15 Main Street, Suite 312

Watertown, MA 02472

(202) 579-4582

ben.berwick@protectdemocracy.org

Anna Dorman**

THE PROTECT DEMOCRACY PROJECT, INC.

200 Pennsylvania Ave. NW, Suite # 163

Washington, DC 20006

Telephone: (202) 579-4582

anna.dorman@protectdemocracy.org

John Powers*

Hani Mirza*

ADVANCEMENT PROJECT

1220 L Street Northwest, Suite 850

Washington, D.C. 20005

(202) 728-9557

jpowers@advancementproject.org

hmirza@advancementproject.org

*Attorneys for Plaintiffs Virginia Coalition
for Immigrant Rights, the League of Women
Voters of Virginia, the League of Women
Voters of Virginia Education Fund, and
African Communities Together*

**Admitted pro hac vice*

***Motions for pro hac vice participation
pending*

CERTIFICATE OF SERVICE

I certify that on October 18, 2024, I electronically filed the above document with the Clerk of Court using the ECF system, which will provide electronic copies to all counsel of record.

/s/Shanna Ports
Shanna Ports